

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA
Plaintiff

v.

Case Number 4:00cr3078-001

USM Number 16769-047

JAMES D. BRACKHAN
Defendant

MICHAEL J. HANSEN

Defendant's Attorney

**JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)**

THE DEFENDANT admitted guilt to violation of Mandatory Condition and special condition #1. of the term of supervision.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

| <u>Violation Number</u> | <u>Nature of Violation</u> | <u>Date Violation Concluded</u> |
|--------------------------------|---|--|
| 1. (Mandatory Condition) | The defendant shall not commit another federal, state, or local crime. | November 1, 2005 |
| 2. (Mandatory Condition) | The defendant shall not commit another federal, state, or local crime. | November 29, 2005 |
| 3. (Special Condition #1) | Paragraph #8 of the Standard Conditions of Supervision is modified, i.e. instead of merely refraining from excessive use of alcohol, the defendant shall not purchase or possess, use, distribute or administer alcohol, just the same as any other narcotic or controlled substance. | November 29, 2005 |
| 4. (Mandatory Condition) | The defendant shall not commit another federal, state, or local crime. | April 24, 2006 |
| 5. (Mandatory Condition) | The defendant shall not commit another federal, state, or local crime. | May 9, 2006 |

Original Offense: Conspiracy to distribute methamphetamine in violation of 21 USC 846.

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Allegation #6 of the Amended Petition for Offender Under Supervision (74) is dismissed without prejudice by the Court.

Following the imposition of sentence, the Court advised the defendant of his right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
January 31, 2007

s/ Richard G. Kopf
United States District Judge

February 1, 2007

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IMPRISONMENT

It is ordered defendant's term of supervised release is revoked. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **thirty-six (36) months with no supervised release to follow**.

The Court makes the following recommendation to the Bureau of Prisons:

1. That defendant's medical problem regarding his left eye be examined by the Bureau of Prisons when making classification designation because he may require special medical handling.

The defendant is remanded to the custody of the United States Marshal.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this ____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the ____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt, above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this ____ day of _____, _____

UNITED STATES WARDEN

By: _____

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

\$100.00 (PAID)

Total Fine

Total Restitution

FINE

No fine imposed.

RESTITUTION

No restitution was ordered.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk